

IN THE ALABAMA COURT OF CRIMINAL APPEALS

EX PARTE ANTHONY BLOUNT,
PETITIONER, pro-se.

VS.

CASE NO. CC-_____

STATE OF ALABAMA,

RESPONDENT,

~~PETITIONER'S MOTION FOR AN ORDER TO SHOW CAUSE~~
Comes now the Petitioner in the above styled cause, and hereby moves this honorable court to issue an order to the Circuit Court of _____ County, Alabama to show cause as to why said court refuses to grant the petitioner's motion to dismiss or a fast and speedy trial.

The Petitioner files this action pursuant to rule 21(a) of Alabama rules of appellate procedure and pursuant to United States Constitutional Amendment 5,6,14. The petitioner will now state his grounds for relief and seeks a supervisory order herefrom.

FACTUAL STATEMENT

The Petitioner was charged with the offense of _____ in violation of code of Alabama 1975 title 13a-12-212. The facts of the case are that on said date the petitioner was said to have had a small amount of some type controlled substance. The petitioner on the other hand stated that he did not have any illegal controlled substances.

After being made aware of the said charges, the petitioner filed for final disposition of the charges pursuant to U.S.C.A. 5,6,14. The petitioner was informed by counsel that the charges was dismissed and to not worry about the same because the court had or was going to dismiss the charges. That as of this date, the D.O.C. states that said detainer is still pending and denies the petitioner such programs such as Honor Camps, Work-release, parole and school programs as well as educational training.

In *Headrick v State*, 812 So.2d 517 (Ala. Cr. App. 2001), this court held that the use of the final disposition of detainers act was to attempt to remedy disadvantages of detainers and to eliminate potential abuse of the detainer system. See *United States v*

Mauro, 56 L.ed.2d.329(1979).The petitioner states that this case has been pending since the ___ day of ___, 2006. And is nothing more than a petty charge that the petitioner pleads innocent of.

REASONS WHY THE WRIT SHOULD ISSUE

The petitioner states that under state and federal laws, he have an absolute right to a fast and speedy trial.see.U.S.C.A.6.Also, according to the Attorney representing the petitioner, this case was said to have been dismissed.Since this detainer is still on file with the D.O.C. the petitioner is denied programs and is denied rehabilitation as needed.

RELIEF SOUGHT

The petitioner seeks as relief is for the respondents to serve a copy of the order of dismissal to this court and a copy of the same to the petitioner showing the case is dismissed as stated. The petitioner also seeks an order to have the Alabama department of corrections correct their files and remove said detainer.The petitioner further request that an order from this honorable court be entered stating that the respondents has 21 days to answer the petition as the rules states and serve a copy on all parties.

WHEREFORE, PREMISES CONSIDERED, the petitioner files this action and prays for relief as stated herein.

Respectfully submitted;

PETITIONER, pro-se.

CERTIFICATE OF SERVICE

I, hereby certify that I have served a copy of the forgoing to the respondents via in care of Hon:Lane W.Mann, Clerk of the Alabama Court of Criminal Appeals,at 300 dexter Ave. Montgomery, Alabama 36130.This the ___ day of ___, 2006.

ANTHONY BLOUNT,pro-se.

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